

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

6/16/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR 03-00232DAE
CASE NAME: USA v. Michael Reilly
ATTYS FOR PLA: Michael Kawahara
ATTYS FOR DEFT: Birney Bervar
USPO: Roy Kawamoto

JUDGE: David Alan Ezra

REPORTER: Cynthia Fazio

DATE: 6/16/2006

TIME: 2:15pm-3:00pm

COURT ACTION: EP: Sentencing to Counts 1 and 2 of the Indictment as to Defendant Michael Reilly.

Defendant Michael Reilly present in custody.

Presentence Report adopted. Sentencing recommendations heard. Allocution by Defendant Michael Reilly.

SENTENCE:

Imprisonment: TIME SERVED, as to each of Counts 1 and 2 of the Indictment, with all such terms to run concurrently

Supervised Release: 5 YEARS, as to each of Counts 1 and 2 of the Indictment, with all such terms to run concurrently

CONDITIONS:

1. Defendant shall abide by the standard conditions of supervision.
2. Defendant shall not commit any crimes, federal, state, or local (mandatory condition).
3. Defendant shall not possess illegal controlled substances (mandatory condition).

4. Defendant shall cooperate in the collection of DNA as directed by the probation officer (mandatory condition).
5. Defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than eight valid drug tests per month during the term of supervision.
6. Defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. Defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
8. Defendant shall execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
9. Defendant shall participate in a mental health program for the entire term of supervision, at the discretion and direction of the Probation Office.
10. Defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.
11. That the defendant serve 6 months community confinement, in a community corrections center such as Mahoney Hale, as arranged by the Probation Office. U.S. Attorney's Office is to be kept informed of defendant's progress.

Special Assessment: \$200.00.

Defendant to remain in the custody of the US Marshals, until bed space becomes available at Mahoney Hale.

Defendant advised of his right to appeal. Defendant remanded to the custody of U.S. Marshals.

Submitted by: Theresa Lam, Courtroom Manager

